

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

JOHN M. M. CALDWELL, PRESIDENT, PRESIDING

April 9, 1997

A. CALL TO ORDER

The April 9, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

James A. Riley, the DeSoto County Sheriff was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Jessie Medlin-----District 1
Eugene C. Thach-----District 2
James D. Pearson-----District 3
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
James Albert Riley-----Sheriff
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John Caldwell.

C. PLANNING COMMISSION

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
SEE EXHIBIT C.

Merritt Powell of the DeSoto County Planning Commission proposed to the Board of Supervisors that the staff recommendation is that the Developers get a preliminary subdivision approval prior to having a letter from the water or sewer department of that district. Further, that the water and sewer department approval would be required prior to the application for final approval.

Also discussed with the Planning Commission, Lance Smith appeared before the Board of Supervisors to report that he is building a house on Highway 301, near Grandview Lakes. Mr. Smith said he has been unsuccessful in getting his sewer service hooked up with Walls Water Association. He has met with Walls Water many times, and complied with their stipulations to acquire sewer hook-up at least three times, at a substantial expense, as Walls Water's requirements kept changing. Mr. Smith has a Public Service hearing set for May 3, 1997, regarding the matter, but

Item C., Continued,

asked the Board of Supervisors if there was anything they could do to expedite the sewer hook-up process with Walls Water.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to send a resolution in support of Mr. Smiths efforts to the Public Service Commission. The **motion passed** by a unanimous vote.

D. MARY JO WRIGHT - PROCLAMATION OF APPRECIATION

Mary Jo Wright, widow of Ruben Wright, longtime employee of DeSoto County, was presented with the proclamation of appreciation, adopted by the Board of Supervisors on March 24, 1997, for the dedication and service he gave to the citizens of DeSoto County through his employment.

E. OLD BUSINESS

1. Report From Committee to Review Phillips Road

This item was held over.

2. Report From Committee to Review Mahan Road

This item was held over.

3. Report From Committee to Review Road Located West of Craft

This item was held over.

4. Litter Ordinance

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to approve adopting the DeSoto County Litter Ordinance effective May 1, 1997. The **motion passed** by a unanimous vote.

5. Request For Constables to Attend Annual Convention, June 4th

County Administrator Clovis Reed explained the constables previous request to attend their annual convention in Tunica, Mississippi would cost \$1,387.00 if the constables were allowed registration, per diem, lodging, and travel. This option would result in a budget amendment. To pay travel, per diem, and registration would cost \$1,000.50.

Supervisor Eugene Thach said he feels a trip of 50 to 60 miles does not justify an overnight stay. Supervisor Tommy Lewis asked if there were any functions at night. Clovis Reed said there probably were some social functions scheduled at night.

Supervisor James Pearson said the state statute allows for expenses for this type of trip to be paid and he feels the constables are entitled to have their request granted.

Item E.5., Continued,

Supervisor Pearson also pointed out that the county would not be paying the constables for their service in Justice Court during this convention time.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to pay registration, mileage and per diem for the constables to attend their annual convention in Tunica. The **motion was denied** with a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----No
Supervisor James Pearson-----No
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----No

Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion to allow two nights lodging with the constables choosing which nights they wish to stay, travel, per diem for all days, and registration for the constables to attend their annual convention in Tunica, Mississippi. The **motion was denied** with a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----No
Supervisor James Pearson-----Abstain
Supervisor John Caldwell-----No
Supervisor Tommy Lewis-----Yes

Supervisor James Pearson made the motion to allow the constables travel, per diem, lodging, and registration as requested to attend their annual convention in Tunica, Mississippi. The **motion died** for a lack of a second.

Later in the meeting Supervisor Eugene Thach made the motion to allow the constables per diem, mileage, and registration to attend their annual convention in Tunica, Mississippi. The **motion died** for a lack of a second.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to allow the constables per diem, mileage, two nights lodging with each constable choosing which nights they want to stay, and registration for their annual convention and approve any budget amendments necessary within their budget. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----No
Supervisor James Pearson-----Yes
Supervisor John Caldwell-----No
Supervisor Tommy Lewis-----Yes

Supervisor James Pearson explained that his vote was so the constables would be allowed to attend their convention, but he still feels they are entitled to attend the convention as requested. **See Exhibit E.5.**

Item E., Continued,

6. Road Inspection Report

The Road Manager, Kenny Gunn, presented the Road Inspection Report. Supervisor Tommy Lewis said he wants a chance to compare the report to his notes on the roads. The item was held over until April 21, 1997. **See Exhibit E.6.**

7. Fire Coordinator Personnel Request to Fill Dispatcher Vacancy

This item was held until Executive Session.

8. Budget Amendment For Repair of Ambulance

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve a budget amendment necessary to pay for the repair of the ambulance burned in the fire at the Hernando City Hall as follows:

Lower EMS Director Salary	110-240-401	\$1,508.09	
Increase Repair to Ambulance	110-240-542		\$1,508.09

The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Yes
Supervisor James Pearson-----Absent
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

See Exhibit E.8.

9. BFI

County Administrator Clovis Reed notified the Board of Supervisors that BFI is prepared to change to the rear loaded vehicles on May 1, 1997, and are asking permission from the Board of Supervisors to make the change. Mr. Reed said that, according to BFI the conversion may change the pick-up day for some routes. Supervisor Tommy Lewis asked if service will change. Clovis Reed said that service will not change overall, but the pick up day of the week may change for some routes.

Supervisor Jessie Medlin said he feels BFI should postpone the conversion until each household can receive notification in their bill of the pending change.

W. E. “Sluggo” Davis, the Chancery Clerk, pointed out that BFI has the right to change the pickup day of the week without Board approval.

The County Administrator also explained that BFI is planning to institute a policy whereby residents that do not pay for their service will:

- 1. have their plastic bins picked up;
- 2. have their garbage service stopped;
- 3. have to pay \$50.00 plus their unpaid bill,

in order to resume their service. Mr. Reed also said that later there may be changes in the recycling program. BFI has agreed to pick up all garbage at the residences if the County will pick up rubbish not covered on a list to be provided by BFI.

Item E. 9., Continued,

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the offer by BFI to change to rear load trucks no earlier than May 1, 1997, with the County continuing to pick up rubbish, subject to Board of Supervisors' approval of a list of incidental rubbish items BFI will pick up with BFI issuing public/individual notice of the change of pick up dates. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----No
Supervisor Eugene Thach-----Yes
Supervisor James Pearson-----Yes
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

F. NEW BUSINESS

1. Authorization to Advertise in the MAS Magazine - Convention Issue

The County Administrator, Clovis Reed, explained that Tunica County got the back cover of the MAS magazine. Mr. Reed said the inside sheet is available and MAS will allow DeSoto County to reserve the back cover if a contract for such is approved by the Board of Supervisors. Mr. Reed explained the options for advertisement in the magazine.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to reserve the center page of the magazine for advertisement of DeSoto County in the publication. The **motion was denied** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----No
Supervisor James Pearson-----No
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----No

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to reserve the inside back page of the MAS magazine for advertisement of DeSoto County in the publication. The **motion passed** by a vote as follows:

Supervisor Eugene Thach-----Yes
Supervisor James Pearson-----No
Supervisor John Caldwell-----Yes
Supervisor Jessie Medlin-----Yes
Supervisor Tommy Lewis-----Yes

G. EXECUTIVE SESSION

The executive session portions of these minutes are recorded under the portion of the minutes called "Executive Session".

H. OTHER BUSINESS

1. Supervisor John Caldwell

After the County Administrator, Clovis Reed, read a letter of recommendation from the Sheriff of DeSoto County, Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to accept the letter from the Sheriff

making Kenny Laughter custodian of the confidential funds in Metro Narcotics effective April 8, 1997. The **motion passed** by a unanimous vote.

2. Bobby Storey

Bobby Storey, Eudora EMS Director, appeared before the Board of Supervisors to request the Supervisors take the ambulances out of the surplus sale as the highest offer he has received for the units is \$1,000.00, and Mr. Storey feels it would be more cost effective to use the ambulances for spare parts. Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to take the ambulances out of the surplus sale and allow them to be used for spare parts at Bobby Storey's request. The **motion passed** by a unanimous vote.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to recess until Monday, April 21, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the April 9th, 1997, these minutes have been read and approved by the DeSoto County Board of Supervisors.

JOHN M. M. CALDWELL, President
DeSoto County Board of Supervisors